

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Index No. 07 CV 3857

ENCOMPASS INSURANCE COMPANY, AS SUBROGEE OF JUAN POLANCO AND MARTINA FERNANDEZ

, Plaintiff(s)

- against -

DE LIMA CONTRACTORS, INC., GENE DE OLIVEIRA, INDIVIDUALLY, AND D/S/A OLIVEIRA CONTRACTING AND ALBERT PALANCIA AGENCY, INC.,

, Defendant(s)

State of New York)
) ss.:
County of Westchester)

AFFIDAVIT OF SERVICE

John Axelrod being duly sworn, deposes and says that he is over the age of 18 years; is not a party to this action and resides within the State of New York. That on 08/27/2007 at 10:25 AM at:

LAW OFFICES OF JOHN PHELAN
955 MCLEAN AVENUE
YONKERS NY 10704

Deponent served the:

SUMMONS IN A CIVIL ACTION AND COMPLAINT

RULE 7.1 STATEMENT

upon GENE DE OLIVEIRA C/O JOHN J. PHELAN, by delivering true copies to recipient personally, deponent knew the person so served to be the person described as said recipient therein.

To the best of my knowledge, based on information and belief, the said recipient at the time of service was not engaged in the military service of the United States or New York. Recipient wore ordinary civilian clothing and no military uniform.

Deponent describes the individual served as follows:

AGE: 40 HEIGHT: 5'9" WEIGHT: 160 HAIR: BLACK RACE: WHITE SEX: MALE

John Axelrod

License #

SWORN TO BEFORE ME 8/29/07

Gail Williams
GAIL WILLIAMS
Notary Public, State of New York
No. 4665052
Qualified in Westchester County
Commission Expires September 30, 2010

OCR DOC# 19081
Cozen O'Connor
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